



Order Filed on July 19, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-2(c)
DAVID A. KASEN, ESQUIRE
KASEN & KASEN, P.C.
Society Hill Office Park, Suite 3
1874 E. Marlton Pike
Cherry Hill, NJ 08003
Telephone (856) 424-4144
Fax (856) 424-7565
Attorneys for Debtor
ID# DK1778

In Re:

RONALD BRODIE,

Debtor.

Case No.: 19-21672/ABA


Hearing Date: 7/12/19

Judge: Altenburg

**CONSENT ORDER AUTHORIZING SALE OF DEBTOR'S INTEREST IN
810 JOSHUA COURT, MOORESTOWN, NEW JERSEY FREE AND
CLEAR OF ALL LIENS AND ENCUMBRANCES PURSUANT TO
§ 363(f) OF THE BANKRUPTCY CODE**

The relief set forth on the following pages, numbered two (2) through four (4) is hereby **ORDERED**.

DATED: July 19, 2019



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

Case No.: 19-21672/ABA

Debtor(s): Ronald Brodie

Caption of Order: **CONSENT ORDER AUTHORIZING SALE OF DEBTOR'S INTEREST IN 810 JOSHUA COURT, MOORESTOWN, NEW JERSEY FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES PURSUANT TO § 363(f) OF THE BANKRUPTCY CODE**

THIS MATTER having been opened to the Court by David A. Kasen, Esquire, of Kasen & Kasen, attorneys for the above-named debtor, pursuant to a Motion to Sell Debtor's Interest in 810 Joshua Court, Moorestown, New Jersey Free and Clear of All Liens and Encumbrances Pursuant to § 363(f) of the Bankruptcy Code, and opposition to the Motion having been filed by Landmark Growth Capital Partners, L.P. and Landmark IAM Growth Capital, L.P. and by the United States Trustee and the objections having been resolved by this Consent Order and as a result of this Consent Order, the Court having found that the second mortgagee, 2EE, LLC, consents to the sale in accordance with the terms of this Consent Order and that the requirements of § 363(f) have been met, and for good cause shown;

IT IS HEREBY ORDERED that the debtor may sell his interest in 810 Joshua Court, Moorestown, New Jersey owned by the debtor and his wife as tenants by the entirety, free and clear of all liens and encumbrances, pursuant to § 363(f) of the Bankruptcy Code.

IT IS FURTHER ORDERED that from the proceeds of sale, the debtor shall pay the amount due and owing to the Bank of America, which holds a first mortgage lien on the property, in order to satisfy the obligation in full.

IT IS FURTHER ORDERED that the second mortgage holder, 2EE, LLC, has agreed to give the Debtor and his wife a consensual discharge of mortgage on 810 Joshua Court, Moorestown, New Jersey.

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Debtor(s): Ronald Brodie

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IT IS FURTHER ORDERED that from the proceeds of sale, the debtor shall pay all ordinary and reasonable costs of closing, including outstanding real estate taxes.

IT IS FURTHER ORDERED that the debtor shall pay from the proceeds of sale the realtors' commissions that are due pursuant to the Agreement of Sale, namely to the sellers' broker, Weichert Realtors, the sum of \$24,750.00, and to the buyers' broker, Lenny, Vermaat & Leonard, the sum of \$19,750.00.

IT IS FURTHER ORDERED from the proceeds of sale that the Debtor and his wife shall escrow with the title company the sum of \$70,000.00 to complete and pay for a replacement of the private septic system, which is a condition of sale between the Debtor and his wife as sellers and the buyers.

IT IS FURTHER ORDERED that from the net proceeds of sale the Debtor's wife shall be entitled to the reimbursement of the sum of \$14,000.00 representing the cost of a roof replacement, which was a condition of sale between the Debtor and his wife as and the buyers.

IT IS FURTHER ORDERED that 2EE, LLC, the second mortgagee, on the one hand and Landmark Growth Capital Partners, L.P. and Landmark IAM Growth Capital, L.P. on the other hand shall split the remaining proceeds of sale equally.

IT IS FURTHER ORDERED that if there is a remainder in the escrow account after payment of the contractor to replace the private septic system, that remainder shall be split equally between 2EE, LLC on the one hand and Landmark Growth Capital Partners, L.P. and Landmark IAM Growth Capital, L.P. on the other hand.

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IT IS FURTHER ORDERED that the fourteen day stay of this Order authorizing the sale of property is waived.

We hereby consent to the form and entry of the within Consent Order.

KASEN & KASEN, Attorneys for Ronald Brodie, Debtor

/s/ David A. Kasen

By: DAVID A. KASEN, ESQ.

/s/ Patricia Brodie

By: PATRICIA BRODIE

NEHMAD PERILLO DAVIS AND GOLDSTEIN, Attorneys for 2EE, LLC

/s/ Eric S. Goldstein

By: ERIC S. GOLDSTEIN, ESQ.

SCARINCI & HOLLENBECK, Attorneys for Landmark Growth Capital Partners, L.P. and Landmark IAM Growth Capital, L.P.

/s/ Joel R. Glucksman

By: JOEL R. GLUCKSMAN, ESQ.